

# SENATE BILL 581

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3lr1237

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By: **Senators Klausmeier and Mautz**

Introduced and read first time: February 6, 2023

Assigned to: Finance

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 9, 2023

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Behavioral Health Care Coordination Value-Based Purchasing Pilot Program**

3 FOR the purpose of establishing the Behavioral Health Care Coordination Value-Based  
4 Purchasing Pilot Program in the Maryland Department of Health to establish and  
5 implement an intensive care coordination model using value-based purchasing in  
6 the specialty behavioral health system; and generally relating to the Behavioral  
7 Health Care Coordination Value-Based Purchasing Pilot Program.

8 BY adding to

9 Article – Health – General

10 Section 13–4801 through 13–4807 to be under the new subtitle “Subtitle 48.  
11 Behavioral Health Care Coordination Value-Based Purchasing Pilot  
12 Program”

13 Annotated Code of Maryland

14 (2019 Replacement Volume and 2022 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
16 That the Laws of Maryland read as follows:

17 **Article – Health – General**

18 **SUBTITLE 48. BEHAVIORAL HEALTH CARE COORDINATION VALUE-BASED**  
19 **PURCHASING PILOT PROGRAM.**

20 **13–4801.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
2 INDICATED.

3 (B) “BEHAVIORAL HEALTH CARE COORDINATION” MEANS A  
4 PERSON-CENTERED, TEAM-BASED ACTIVITY DESIGNED TO:

5 (1) ASSESS AND MEET THE NEEDS OF AN INDIVIDUAL WITH A  
6 BEHAVIORAL HEALTH CONDITION; AND

7 (2) HELP THE INDIVIDUAL NAVIGATE THE HEALTH CARE SYSTEM  
8 EFFECTIVELY AND EFFICIENTLY.

9 (C) “PILOT PROGRAM” MEANS THE BEHAVIORAL HEALTH CARE  
10 COORDINATION VALUE-BASED PURCHASING PILOT PROGRAM.

11 (D) “VALUE-BASED PURCHASING” MEANS FINANCIALLY INCENTIVIZING  
12 PROVIDERS TO MEET SPECIFIED OUTCOME MEASURES.

13 13-4802.

14 THERE IS A BEHAVIORAL HEALTH CARE COORDINATION VALUE-BASED  
15 PURCHASING PILOT PROGRAM IN THE DEPARTMENT.

16 13-4803.

17 THE PURPOSE OF THE PILOT PROGRAM IS TO ESTABLISH AND IMPLEMENT AN  
18 INTENSIVE CARE COORDINATION MODEL USING VALUE-BASED PURCHASING IN THE  
19 SPECIALTY BEHAVIORAL HEALTH SYSTEM.

20 13-4804.

21 (A) THE DEPARTMENT SHALL ADMINISTER THE PILOT PROGRAM.

22 (B) THE DEPARTMENT SHALL IDENTIFY AT LEAST 500 ADULTS WHOSE  
23 BEHAVIORAL HEALTH CONDITION OR FUNCTIONING PLACES THEM AT RISK OF  
24 HOSPITAL EMERGENCY DEPARTMENT UTILIZATION OR INPATIENT PSYCHIATRIC  
25 HOSPITAL ADMISSION.

26 (C) THE PILOT PROGRAM SHALL BE OPERATIONAL FOR A 3-YEAR PERIOD.

27 (D) A PROVIDER, OR NETWORK OF PROVIDERS, SELECTED TO PARTICIPATE  
28 IN THE PILOT PROGRAM SHALL:

1           **(1) BE LICENSED AND IN GOOD STANDING WITH THE MARYLAND**  
2 **MEDICAL ASSISTANCE PROGRAM;**

3           **(2) HAVE EXPERIENCE IN PROVIDING COMMUNITY-BASED CARE**  
4 **COORDINATION TO SPECIALTY BEHAVIORAL HEALTH PROGRAM RECIPIENTS;**

5           **(3) USE AN ELECTRONIC MEDICAL RECORD FOR DOCUMENTING CARE**  
6 **COORDINATION ACTIVITIES AND OUTCOMES COLLECTION; AND**

7           **(4) HAVE AN AUTOMATED DATA EXCHANGE WITH THE**  
8 **STATE-DESIGNATED HEALTH INFORMATION EXCHANGE.**

9           **(E) THE DEPARTMENT SHALL:**

10           **(1) PROVIDE REIMBURSEMENT ON A PER MEMBER PER MONTH BASIS**  
11 **FOR THE BEHAVIORAL HEALTH CARE COORDINATION ACTIVITIES THAT ARE NOT**  
12 **OTHERWISE COVERED BY THE MARYLAND MEDICAL ASSISTANCE PROGRAM;**

13           **(2) COLLECT OUTCOMES DATA ON RECIPIENTS OF HEALTH CARE**  
14 **SERVICES UNDER THE PILOT PROGRAM; AND**

15           **(3) EVALUATE THE EFFECTIVENESS OF THE VALUE-BASED**  
16 **PURCHASING MODEL BY ANALYZING THE FOLLOWING OUTCOME MEASURES:**

17           **(I) A COMPARISON OF THE FOLLOWING DATA ELEMENTS**  
18 **BEFORE AND AFTER ENROLLMENT OF RECIPIENTS OF HEALTH CARE SERVICES**  
19 **UNDER THE PILOT PROGRAM:**

20                   **1. EMERGENCY DEPARTMENT UTILIZATION FOR BOTH**  
21 **BEHAVIORAL AND SOMATIC HEALTH PURPOSES;**

22                   **2. INPATIENT HOSPITALIZATION FOR BOTH**  
23 **BEHAVIORAL AND SOMATIC HEALTH PURPOSES; AND**

24                   **3. TOTAL HEALTH CARE EXPENDITURES;**

25           **(II) OUTCOMES FOR RECIPIENTS WITH AND WITHOUT PRIMARY**  
26 **CARE SERVICES COORDINATED BY A BEHAVIORAL HEALTH PROVIDER; AND**

27           **(III) RECOGNIZED CLINICAL QUALITY METRICS WHICH MAY**  
28 **INCLUDE PATIENT EXPERIENCE MEASURES.**

1 **13-4805.**

2 **IF NECESSARY TO IMPLEMENT THE PILOT PROGRAM, THE DEPARTMENT**  
3 **SHALL APPLY TO THE CENTERS FOR MEDICARE AND MEDICAID SERVICES FOR AN**  
4 **AMENDMENT TO THE STATE'S § 1115 HEALTHCHOICE DEMONSTRATION.**

5 **13-4806.**

6 **(A) FOR EACH OF FISCAL YEARS 2025 THROUGH 2027, THE GOVERNOR**  
7 **SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$600,000 FOR**  
8 **THE PILOT PROGRAM.**

9 **(B) BEGINNING IN FISCAL YEAR 2026, THE DEPARTMENT SHALL ALLOCATE**  
10 **A PERCENTAGE OF THE ANNUAL APPROPRIATION REQUIRED UNDER SUBSECTION**  
11 **(A) OF THIS SECTION TO REIMBURSEMENT PAID BASED ON THE ACHIEVEMENT OF**  
12 **THE OUTCOME MEASURES DESCRIBED IN § 13-4804(E)(3) OF THIS SUBTITLE.**

13 **(C) IN FISCAL YEAR 2027, THE DEPARTMENT SHALL INCREASE THE**  
14 **PERCENTAGE OF THE ANNUAL APPROPRIATION REQUIRED UNDER SUBSECTION (A)**  
15 **OF THIS SECTION ALLOCATED TO REIMBURSEMENT PAID IN ACCORDANCE WITH**  
16 **SUBSECTION (B) OF THIS SECTION OVER THE PERCENTAGE ALLOCATED IN FISCAL**  
17 **YEAR 2026.**

18 **13-4807.**

19 **ON OR BEFORE NOVEMBER 1, 2027, THE DEPARTMENT SHALL REPORT TO**  
20 **THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT**  
21 **ARTICLE, THE GENERAL ASSEMBLY ON THE DEPARTMENT'S FINDINGS AND**  
22 **RECOMMENDATIONS FROM THE PILOT PROGRAM.**

23 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect  
24 **October 1, 2023. It shall remain effective for a period of 4 years and 2 months and, at the**  
25 **end of November 30, 2027, this Act, with no further action required by the General**  
26 **Assembly, shall be abrogated and of no further force and effect.**